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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 THE BASKETBALL CLUB OF SEATTLE, LLC,

7 Nominal Plaintiff,

8 and

9 CANARSIE HOLDINGS, LLC,

10 Derivative Plaintiff,

11 v.

12 THE PROFESSIONAL BASKETBALL CLUB,
13 LLC,

14 Defendant.

Case No. C08-623 MJP

ORDER DENYING
PLAINTIFF'S MOTION TO
BIFURCATE

15 This matter comes before the Court on Plaintiff's motion to bifurcate. (Dkt. No. 22.)
16 After reviewing the motion, Defendant's response (Dkt. No. 31), Plaintiff's reply (Dkt. No. 37),
17 all documents submitted in support thereof, and the balance of the record, the Court DENIES the
18 motion for the reasons set forth below.

19 The Court may, in its discretion, bifurcate an action to expedite the litigation, promote
20 convenience and economy, or to avoid prejudice. Fed. R. Civ. P. 42(b). Bifurcation of this action
21 into a liability phase and a remedy phase would not serve these purposes. The Court expends
22 significant public resources when managing and trying high-profile cases that attract considerable
23 media attention. Instead of decreasing these efforts in this litigation, bifurcation would effectively
24 double them.

25 Neither does the Court believe that bifurcation would significantly increase the
26 convenience to the parties. Though preparation for the remedy portion of this action will require
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1 some additional discovery, the witnesses and information relevant to the primary allegations will
2 also be relevant to the proposed remedy. The Court sees no reason to require that the discovery
3 process cover the same individuals and materials twice.

4 This action must be resolved quickly. It involves time-sensitive issues with potential
5 ramifications for multiple third parties. The Court finds that the interests of all involved will be
6 best served if the litigation progresses as a whole. Plaintiff's motion to bifurcate is hereby
7 DENIED.

8 The Clerk is directed to send a copy of this order to all counsel of record.

9 Dated: August 20, 2008.

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12 Marsha J. Pechman

13 U.S. District Judge
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